

Notice of Allowability

Application No.

09/990,296

Examiner

Cheukfan Lee

Applicant(s)

HOKOI, HAYATO

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to an amendment filed November 14, 2005.
2. ☒ The allowed claim(s) is/are 1-19.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

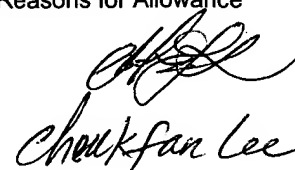
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


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1. All pending claims 1-19 are allowed. Claims 1, 5, 6, 7, 12, and 16 are independent.

2. The following is an examiner's statement of reasons for allowance:

Claims 1-6 have been amended to overcome the objection set forth in the previous Office Action dated August 12, 2005.

Claims 5, 6 and 12-19 have been amended to overcome the rejection under 35 U.S.C. 101.

Claims 7-11 were indicated allowed in that previous Office Action.

Reasons for allowance for claims 1-4 and 7-11 given in the previous Office Action dated August 12, 2005 are still valid after the updated search and are repeated below.

Claim 1 and its dependent claims 2-4 are allowable over the prior art of record, including Yaguchi et al. (U.S. Patent No. 5,903,363). Claim 1 requires a driving device for sub-scanning an original document in areas where original document transfer is to be performed at a short pitch, by performing a small step transferring of the original document, and then sub-scanning the original document by performing a large step transferring of the original document at a long pitch, wherein a plurality of short pitch transferring areas are included in each long pitch transferring area, and repeating the sub-scanning by performing the large step transferring and the small step transferring

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of the original document. This feature in combination with the imaging device having two or more line sensors with equal line intervals is not taught by the prior art of record.

Claim 7 requires two or more line sensors in the image scanning apparatus and a maximum image data detecting device for obtaining image data by converting analog image data of two or more lines with an A/D converter and obtaining a maximum output of the obtained image data, the analog image data being output in sequence from the two or more line sensors. The closest prior art Yaguchi et al. (U.S. Patent No. 5,903,363) (cited by Applicant for the present application and cited by the examiner in the parent application 09/908,587) discloses an image reading apparatus having three line sensors (three line sensors for each of the colors red, green and blue) for one color (Fig. 7). However, Yaguchi et al does not disclose a maximum image data or value detecting device for obtaining the maximum from the outputs of the three line sensors as claimed in claim 7.

Claims 8-11 depend on claim 7, directly or indirectly.

Claims 5 and 6 claim limitations similar to those of claim 1. Claim 5 claims a computer-readable storage medium that stores a program for performing a controlling procedure of an image scanning apparatus, where the control procedure includes assuming ..., sub-scanning ..., and repeating ... that correspond to the assuming ..., sub-scanning ..., and repeating ... of claim 1. Claim 6 claims a control program product embodied in a computer-readable data signal for performing a scanning control

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procedure of an image scanning apparatus, where the program product comprises the scanning control procedure of assuming ..., sub-scanning ..., and repeating ... that correspond to the assuming ..., sub-scanning ..., and repeating ... of claim 1. The "control procedure" or the "scanning control procedure" of claims 5 and 6, respectively, in combination with other limitations of claims 5 or 6, including the imaging device having at least two line sensors with equal line interval of each claim, is not taught by the prior art of record, including Yaguchi et al. (U.S. Patent No. 5,903,363).

Claims 12 and 16 claim limitations similar to those of claim 7. Claim 12 claims a computer-readable storage medium that stores a program for performing a controlling procedure of an image scanning apparatus, the scanning apparatus corresponding to the scanning apparatus of claim 7. Claim 16 claims a control program product embodied in a computer-readable data signal for performing control procedures of an image scanning apparatus, the scanning apparatus corresponding to the scanning apparatus of claim 7. Claims 12 and 16 are allowable for the reason given for claim 7.

Claims 13-15 and 17-19 depend on claims 12 and 16, respectively. These claims are allowable for the reason given for claims 12 and 16.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheukfan Lee whose telephone number is (571) 272-7407. The examiner can normally be reached on 9:30 a.m. to 6:00 p.m., Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, (currently unknown) can be reached on (currently unknown). The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Cheukfan Lee
November 22, 2005



Cheukfan Lee